

That is, it is detected whether or not a center of a pulse indicated by the shifted pulse [date] data 1 is located near the peak value. If so, then the y coordinate value of the pulse data 1 is shifted in a direction away from the peak value. As a result, the number of nozzles 207a that has a driving pulse overlapping with the peak value is decreased, so the peak value is leveled. Then the process is returned to S1.

### **REMARKS**

Applicant thanks the Examiner for indication that claims 2-11, 13 and 14 are drawn to the allowable subject matter.

A minor correction of the specification has been performed by this amendment.

Claims 2-14 are currently pending in the application. Reconsideration of the rejected claim 12 in view of the following remarks is respectfully requested.

Claim 12 was rejected under 35 U.S.C. §103(a) as being unpatentable over Wen et al. (U.S. Patent 6,046,822) in view of Momose et al. (EP 1023999 A2). This rejection is respectfully traversed.

The main distinguishable feature claimed by claim 12 is “a leveling unit that levels generating timing of the driving pulses by changing the timing data of the nozzles profile data”. (Claim 12). The Examiner erroneously states in the Office Action that the reference to Momose et al. discloses “a leveling unit that levels generating timings of the driving pulses by changing the timing data of the nozzle profile data”. The level shifter element 56 of Momose et al. is a voltage amplifier and quite different from the leveling unit of the present invention. (See column 8, lines 31-33 of Momose et al.) The Examiner refers to Figure 5, elements 56A-N in Momose et al. However, the principle of leveling applied by Momose’s et al. invention is quite different. More specifically, referring to column 8, lines 34 *et seq.* In Momose et al.:

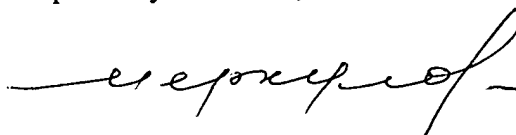
“... each level shifter element 56A-56N boosts the print data to a voltage value at which the switching circuit 57 can be driven, for example, several ten volts. The boosted print data is applied to the switching circuit 57, ...”.

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The level shifter elements in Momose et al. are leveling a voltage amplitude. In contrast, Applicant clearly claims "a leveling unit that levels generating timings of the driving pulses by changing timing data of the nozzle profile data"... (Claim 12) Further, since the above limitations are not taught or suggested by references relied on by the Examiner, Momose et al. cannot be used to support a *prima facie* obviousness rejection under §103. Based on the above discussion it is respectfully requested that the rejection based on 35 U.S.C. §103 be withdrawn.

In view of the foregoing amendments and remarks, Applicant submits that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson, P.C.).

Respectfully submitted,



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### **Clean Version of Changes to Specification**

Please replace the paragraph starting at page 23, lines 22-25 and continuing at page 24, lines 1-4 with the following paragraph.

C<sup>1</sup> That is, it is detected whether or not a center of a pulse indicated by the shifted pulse data 1 is located near the peak value. If so, then the y coordinate value of the pulse data 1 is shifted in a direction away from the peak value. As a result, the number of nozzles 207a that has a driving pulse overlapping with the peak value is decreased, so the peak value is leveled. Than the process is returned to S1.